

REMARKS

Claims 1-6, 8-10, 12, 14, 15, 18-23, 31-36, 38-46, and 75-93 are now pending in the above-identified patent application. Claims 15, 18-23, 31-36, 38-46, and 75-93 were withdrawn from consideration by the Examiner.

§112 Rejection of the Claims

Claims 10, 12, and 14 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 10, 12, and 14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant respectfully traverses the rejections of claims 10, 12, and 14 under 35 U.S.C. § 112, first paragraph, and under 35 U.S.C. § 112, second paragraph.

The Office action, on page 2, asserts that the claim language related to structures is indefinite. Applicant respectfully submits that the specification, at page 4, recites, "Material layer 106 includes a structural component, such as ribbed structure 109, and a non-structural component, such as fill material 112." Thus, the claim language related to structural components and non-structural components is fully supported in the specification and the drawings. Therefore, applicant requests withdrawal of the rejections, under 35 U.S.C. § 112, first paragraph, and under 35 U.S.C. § 112, second paragraph, and reconsideration and allowance of claims 10, 12, and 14.

§102 Rejection of the Claims

Claims 1, 5, 6, 8-10, 12, and 14 were rejected under 35 U.S.C. § 102(e) as being anticipated by Juengling *et al.* (U.S. Patent No. 6,333,556). Applicant does not admit that Juengling *et al.* is prior art and reserves the right, as provided for under 37 C.F.R. 1.131, to "swear behind" Juengling *et al.* Applicant respectfully traverses the rejections of claims 1, 5, 6, 8-10, 12, and 14.

Claims 1, 6, and 10 recite, "the conductive structure is coupled to the electronic chip." In contrast, Juengling *et al.* teaches at column 3, lines 20-22: "Substrate 12b may comprise, for example, an insulative layer over a semiconductor substrate." Thus, Juengling *et al.* teaches isolating the conductive structures from the semiconductor substrate, so Juengling *et al.* does not teach a conductive structure coupled to an electronic chip. Hence, Juengling *et al.* fails to teach each of the elements of claims 1, 6, and 10. Thus, the office action fails to state a *prima facie* case of anticipation with respect to claims 1, 6, and 10.

Claim 5 is dependent on claim 1. Claims 8-9 are dependent on claim 6. Claims 12 and 14 are dependent on claim 10. For reasons analogous to those provided above and the elements in the claims, applicant respectfully submits that the office action fails to state a *prima facie* case of anticipation with respect to claims 5, 8-9, 12, and 14.

Therefore, applicant requests withdrawal of the rejections and reconsideration and allowance of claims 1, 5, 6, 8-10, 12, and 14.

§103 Rejection of the Claims

Claims 2-4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Juengling *et al.* as applied to claims 1, 5, 6, 8-10, 12, and 14 above, and further in combination with Farrar (U.S. Patent No. 5,994,777). Applicant does not admit that Juengling *et al.* is prior art and reserves the right, as provided for under 37 C.F.R. 1.131, to "swear behind" Juengling *et al.* Applicant respectfully traverses the rejections of claims 2-4.

Applicant respectfully submits that Juengling *et al.* is not prior art with respect to claims 2-4 of the present application. A 102(e) reference that is commonly owned with an application filed on or after November 29, 1999 cannot be used in a 103(a) obviousness rejection of the claims of the application. (35 U.S.C. 103(c)) The present CPA application was filed on April 10, 2003, which is after November 29, 1999. 1241 OG 96 permits a statement by the applicant or the applicant's attorney to establish common ownership. Applicant's attorney submits that the present application and Juengling *et al.* were, at the time of the invention, owned by, or subject to an obligation of assignment to, the same person. Thus, since Juengling *et al.* was filed after November 29, 1999 and the present application was commonly owned with the Juengling *et al.* reference at the time of the invention, Juengling *et al.* is not prior art with respect to claims 2-4

of the present application. Therefore, applicant requests withdrawal of the rejections and reconsideration and allowance of claims 2-4.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at 612-371-2109 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date

July 14, 2004

By

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 14th day of July, 2004.

Peter Rebuffoni

Name

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Signature